

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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ANGELO BALSANO,

09-CV-490  
(DNH/VEB)

Plaintiff,

-v-

MICHAEL J. ASTRUE, Commissioner of Social  
Security,

Defendant.  
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APPEARANCES:

OF COUNSEL:

Irwin M. Portnoy & Associates, PC  
Attorneys for Plaintiff  
542 Union Avenue  
New Windsor, NY 12550

IRWIN M. PORTNOY. ESQ.

OFFICE OF GENERAL COUNSEL  
Social Security Administration  
Region II  
Attorneys for Defendant  
26 Federal Plaza, Room 3904  
New York, NY 10278

SIXTINA FERNANDEZ, ESQ.

DAVID N. HURD  
United States District Judge

**DECISION and ORDER**

Plaintiff's counsel, Irwin M. Portnoy, Esq., has filed a motion for attorneys' fees and costs pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d). Dkt. No. 26. On February 13, 2013, the Honorable Victor E. Bianchini, United States Magistrate Judge,

advised by Report-Recommendation that the motion be granted in part and that plaintiff be awarded \$11,774.63 in fees, plus costs in the amount of \$362.82, and that the payment be mailed to the office of plaintiff's counsel. No objections to the Report-Recommendation were filed.

Based upon a careful review of the entire file and the recommendations of the Magistrate Judge, the Report-Recommendation is accepted in whole. See 28 U.S.C. § 636(b)(1).

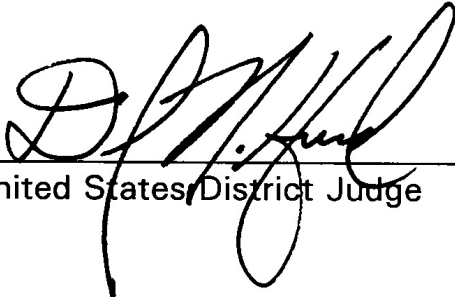
Therefore, it is

ORDERED that

1. Plaintiff's motion for attorneys' fees and costs is GRANTED in part;
2. Plaintiff is awarded \$11,774.63 in attorneys' fees;
3. Plaintiff is awarded \$362.82 in costs; and
4. Payment shall be mailed to the office of plaintiff's counsel.

IT IS SO ORDERED.

Dated: March 11, 2013  
Utica, New York.

  
United States District Judge